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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Report of the Third CommitteeRapporteur: Mr. Francis Eric AGUILAR-HECHT (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1986, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-first session the item entitled:

"Elimination of all forms of racial discrimination:

"(a) Report of the Committee on the Elimination of Racial Discrimination;

"(b) Status of the International Convention on the Elimination of All Forms of Racial Discrimination;

"(c) Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid"

and to allocate it to the Third Committee.

2. The Third Committee considered the item jointly with items 83, 84 and 88 at its 4th to 15th, 23rd, 25th and 32nd meetings from 6 to 10, 13 to 15 and on 23, 27 and 31 October 1986. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/41/SR.4-15, 23, 25 and 32).

3. The Committee had before it the following documentation:

(a) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General (A/41/508);

(b) Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid: report of the Secretary-General (A/41/512);

(c) Report of the Committee on the Elimination of Racial Discrimination: note by the Secretary-General (A/41/561 and Add.1);

(d) Letter dated 14 January 1986 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/41/93);

(e) Letter dated 14 February 1986 from the Permanent Representative of Bulgaria to the United Nations addressed to the Secretary-General (A/41/167);

(f) Letter dated 24 February 1986 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/41/177);

(g) Letter dated 24 February 1986 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/41/178 and Corr.1);

(h) Letter dated 19 February 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General (A/41/181-E/1986/53);

(i) Letter dated 5 May 1986 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General, transmitting the final communiqué and resolutions adopted by the Sixteenth Islamic Conference of Foreign Ministers, held at Fez from 6 to 10 January 1986 (A/41/326-S/13049);

(j) Letter dated 15 May 1986 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the final documents of the Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries, held at New Delhi from 16 to 19 April 1986 (A/41/341-S/18065 and Corr.1);

(k) Letter dated 12 September 1986 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (A/41/607).

4. At the 4th meeting of the Committee, on 6 October, the Deputy Director of the Centre for Human Rights made an introductory statement (see A/C.3/41/SR.4).

5. At the 9th meeting, on 10 October, the representative of the Budget Division made statements in response to questions raised during the discussion concerning the current financial situation of the Committee on the Elimination of Racial Discrimination (see A/C.3/41/SR.9).

II. CONSIDERATION OF DRAFT RESOLUTIONS

A. Draft resolution A/C.3/41/L.8

6. At the 23rd meeting, on 23 October, the representative of the German Democratic Republic introduced a draft resolution (A/C.3/41/L.8) entitled "Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid", sponsored by Afghanistan, Algeria, Angola, Bulgaria, Burkina Faso, Cuba, Czechoslovakia, Ethiopia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Madagascar, Mongolia, Nicaragua, Nigeria, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, Viet Nam and Zambia. Rwanda subsequently joined in sponsoring the draft resolution.

7. At the 25th meeting, on 27 October, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the 12 States members of the European Community) made a statement in explanation of vote before the vote (see A/C.3/41/SR.25).

8. At the same meeting, the Committee voted on the draft resolution as follows:

(a) The fifth preambular paragraph was retained by a recorded vote of 105 to 16, with 15 abstentions; the voting was as follows: 1/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Panama, Peru, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaïre, Zambia, Zimbabwe.

1/ Subsequently, the representative of the Niger stated that, had his delegation been present during the vote, it would have voted in favour of retaining the paragraph; the representatives of the Philippines and Saudi Arabia stated that their delegations had intended to vote in favour of its retention; and the representative of Malawi indicated that, had his delegation been present during the vote, it would have abstained.

Against: Belgium, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Brazil, Canada, El Salvador, Fiji, Finland, Jamaica, Japan, Lesotho, New Zealand, Papua New Guinea, Philippines, Saudi Arabia, Sweden.

(b) Operative paragraph 5 was retained by a recorded vote of 105 to 18, with 13 abstentions; the voting was as follows: 2/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Austria, Belgium, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Brazil, Canada, Costa Rica, El Salvador, Fiji, Finland, Jamaica, Lesotho, New Zealand, Papua New Guinea, Sweden, Uruguay.

2/ Subsequently, the representative of the Niger stated that, had his delegation been present during the vote, it would have voted in favour of retaining the paragraph; and the representative of Malawi indicated that, had his delegation been present during the vote, it would have abstained.

(c) Operative paragraph 8 was retained by a recorded vote of 106 to 16, with 14 abstentions; the voting was as follows: 3/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Brazil, Canada, El Salvador, Fiji, Finland, Japan, Lesotho, New Zealand, Papua New Guinea, Swaziland, Sweden, Uruguay.

3/ Subsequently, the representative of the Niger stated that, had his delegation been present during the vote, it would have voted in favour of retaining the paragraph; and the representative of Malawi indicated that, had his delegation been present, it would have abstained.

(d) Draft resolution A/C.3/41/L.8 as a whole, was adopted by a recorded vote of 116 to 1, with 23 abstentions (see para. 20, draft resolution I); the voting was as follows: 4/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

9. After the adoption of the draft resolution, statements were made by the representatives of the United States of America, Uruguay, Australia, Sweden (also on behalf of Finland), Israel, Oman and Austria (see A/C.3/41/SR.25).

4/ Subsequently, the representative of the Niger stated that, had his delegation been present during the vote, it would have voted in favour of the draft resolution as a whole; and the representative of Malawi indicated that, had his delegation been present, it would have abstained.

B. Draft resolution A/C.3/41/L.9

10. At the 23rd meeting, on 23 October, the representative of Belgium introduced a draft resolution (A/C.3/41/L.9) entitled "Status of the International Convention on the Elimination of All Forms of Racial Discrimination", sponsored by Argentina, Australia, the Bahamas, Barbados, Belgium, Bulgaria, Cyprus, Egypt, Germany, Federal Republic of, Hungary, India, Morocco, New Zealand, Portugal, Rwanda, Spain and Yugoslavia. Cuba subsequently joined in sponsoring the draft resolution.

11. At the same meeting, the representative of Uruguay introduced amendments (A/C.3/41/L.24) to the draft resolution, sponsored by Costa Rica, Denmark, Ecuador, Finland, France, Italy, the Netherlands, Norway, Peru, Senegal, Sweden and Uruguay. Iceland subsequently joined in sponsoring the amendments.

12. At the 25th meeting, on 27 October, the Committee took the following action on draft resolution A/C.3/41/L.9 and the amendments thereto:

(a) The amendments (A/C.3/41/L.24) were adopted by a recorded vote of 80 to none, with 45 abstentions; the voting was as follows: 5/

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burma, Burundi, Canada, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Lebanon, Lesotho, Luxembourg, Malawi, Malaysia, Malta, Mauritania, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Papua New Guinea, Peru, Philippines, Portugal, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Suriname, Swaziland, Sweden, Togo, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Zambia.

Against: None.

Abstaining: Afghanistan, Algeria, Angola, Bahamas, Barbados, Benin, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, China, Cuba, Czechoslovakia, Democratic Yemen, Equatorial Guinea, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Hungary, India, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Mexico, Mongolia, Nigeria, Pakistan, Poland, Qatar, Romania, Rwanda, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yugoslavia, Zimbabwe.

5/ The representatives of Ethiopia and Iraq subsequently indicated that their delegations had intended to abstain.

/...

(b) The draft resolution, as amended, was adopted without a vote (see para. 20, draft resolution II).

13. After the adoption of the draft resolution, the representative of Oman made a statement (see A/C.3/41/SR.25).

C. Draft resolution A/C.3/41/L.10 and Rev.1

14. At the 23rd meeting, on 23 October, the representative of Yugoslavia introduced a draft resolution (A/C.3/41/L.10) entitled "Committee on the Elimination of Racial Discrimination", sponsored by Algeria, Cuba, Cyprus, Egypt, Ethiopia, Nigeria, Rwanda and Yugoslavia. Pakistan subsequently joined in sponsoring the draft resolution.

15. A statement by the Secretary-General on the programme budget implications of the draft resolution was circulated in document A/C.3/41/L.21.

16. At the 32nd meeting, on 31 October, the representative of Yugoslavia introduced a revised draft resolution (A/C.3/41/L.10/Rev.1), sponsored by Algeria, Australia, Cuba, Cyprus, Ethiopia, India, Nigeria, Pakistan, Rwanda and Yugoslavia, in which operative paragraph 5 of draft resolution A/C.3/41/L.10, which read:

"Requests the Secretary-General to convene a special one-day meeting of States parties to the Convention during the current session of the General Assembly, in order to identify ways and means of overcoming the present financial situation.",

had been revised to read as follows:

"Requests the Secretary-General:

(a) To consider making an urgent appeal, by telex, to States parties to fulfil their financial obligations in relation to the Committee in order to enable it to resume its work;

(b) To transmit notices of assessment for 1987 to States parties as soon as possible, urging them to pay their contributions;

(c) To explore all appropriate avenues to enable the Committee to meet in 1987, even if for a shorter duration and at a reduced cost;

(d) To consider convoking, if necessary, a meeting of States parties during the first regular session of 1987 of the Economic and Social Council, so that they can take stock of the level of assessed contributions and make recommendations on the future work of the Committee;

(e) To report on the situation to the General Assembly at its forty-second session."

At the same time, she orally revised further the revised draft resolution by inserting, in operative paragraph 5 (d), the words "and within available resources" after the words "To consider convoking, if necessary".

17. The Committee was informed that, as a result of the oral revision, the revised draft resolution had no programme budget implications.

18. At the same meeting, the revised draft resolution (A/C.3/41/L.10/Rev.1), as orally revised, was adopted without a vote (see para. 20, draft resolution III).

19. After the adoption of the revised draft resolution, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the 12 States members of the European Community) made a statement (see A/C.3/41/SR.32).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

20. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The General Assembly,

Recalling its resolution 3068 (XXVIII) of 30 November 1973, by which it adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid, and its subsequent resolutions on the status of the Convention,

Reaffirming its conviction that apartheid constitutes a total negation of the purposes and principles of the Charter of the United Nations, a gross violation of human rights and a crime against humanity, seriously threatening international peace and security,

Alarmed by the aggravation of the situation in South Africa, in particular the further escalation of ruthless repression by the Fascist-like apartheid régime, including the use of the armed forces against the opposing people and the imposition of virtual martial-law conditions intended to facilitate the brutal oppression of the black population,

Strongly condemning South Africa's continued policy of apartheid and its continued illegal occupation of Namibia, as well as its policy of destabilization, including numerous acts of aggression against Angola and other African States,

Mindful of Commission on Human Rights resolution 1986/7 of 28 February 1986, 6/ in which the Commission expressed its conviction that the crime of apartheid is a form of the crime of genocide,

Condemning the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of apartheid,

Firmly convinced that the legitimate struggle of the oppressed peoples in southern Africa against apartheid, racism and colonialism and for the effective implementation of their inalienable right to self-determination and independence demands more than ever all necessary support by the international community and, in particular, further action by the Security Council in accordance with Chapter VII of the Charter of the United Nations,

Underlining that ratification of or accession to the Convention on a universal basis and the implementation of its provisions without delay are necessary for its effectiveness, and therefore will contribute to the eradication of the crime of apartheid,

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid; 7/

2. Commends those States parties to the Convention that have submitted their reports under article VII thereof;

3. Appeals once again to those States that have not yet done so to ratify or to accede to the Convention without further delay, in particular those States that have jurisdiction over transnational corporations operating in South Africa and Namibia and without whose co-operation such operations cannot be halted;

4. Takes note with appreciation of the report of the Group of Three of the Commission on Human Rights, established in accordance with article IX of the Convention, and, in particular, of the conclusions and recommendations contained in that report; 8/

5. Draws the attention of all States to the opinion expressed by the Group of Three in its report that transnational corporations operating in South Africa and Namibia must be considered accomplices in the crime of apartheid, in accordance with article III (b) of the Convention;

6/ See Official Records of the Economic and Social Council, 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

7/ A/41/512.

8/ E/CN.4/1986/30, sect. V.

6. Requests the Commission on Human Rights to intensify, in co-operation with the Special Committee against Apartheid, its efforts to compile periodically the progressive list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as those against whom legal proceedings have been undertaken;
7. Requests the Secretary-General to circulate the above-mentioned list to all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication;
8. Requests the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa;
9. Notes the importance of measures to be taken by States parties in the field of teaching and education for fuller implementation of the Convention;
10. Appeals to all States, United Nations organs, specialized agencies and international and national non-governmental organizations to step up their activities in enhancing public awareness by denouncing the crimes committed by the racist régime of South Africa;
11. Requests the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;
12. Requests the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special section concerning the implementation of the Convention.

DRAFT RESOLUTION II

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its relevant resolutions, including its resolution 40/26 of 29 November 1985,

Expressing its satisfaction at the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of

individuals under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, 9/

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination; 10/

2. Expresses its satisfaction at the number of States that have ratified the Convention or acceded thereto;

3. Reaffirms once again its conviction that ratification of or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Second Decade to Combat Racism and Racial Discrimination; 11/

4. Requests those States that have not yet become parties to the Convention to ratify it or accede thereto;

5. Calls upon the States parties to the Convention to consider the possibility of making the declaration provided for in article 14 of the Convention;

6. Requests the Secretary-General to submit to the General Assembly at its forty-third session a report concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

DRAFT RESOLUTION III

Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and resolution 41/___ of ___ on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, 12/ as well as its other relevant resolutions on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, 13/

9/ Resolution 2106 A (XX), annex.

10/ A/41/508.

11/ See resolution 38/14.

12/ Resolution 2106 A (XX), annex.

13/ Resolution 38/14, annex.

Mindful of the obligation of all States parties to comply fully with the provisions of the Convention,

Aware of the importance of the contribution of the Committee to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and to the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin,

Further aware of the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of apartheid in South Africa and Namibia,

Having considered the note by the Secretary-General concerning the work of the Committee, 14/ which states, inter alia, that the Committee was unable to hold its thirty-fourth session in August 1986 as planned because of the lack of financial means, as a consequence of the failure of many States parties to the Convention to pay their dues under article 8, paragraph 6, of the Convention,

Recalling also the appeal made at the tenth meeting of the States parties to the Convention to States parties to honour their financial obligations under the Convention, as well as other appeals on the same subject,

1. Expresses its grave concern that, for the above reason, the Committee on the Elimination of Racial Discrimination was unable to hold its thirty-fourth session and to carry out its obligations in the course of 1986 and that, consequently, it could not submit an annual report to the General Assembly at its forty-first session;
2. Commends the Committee for its work in the past with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and to the realization of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;
3. Calls upon the States parties to comply fully with their obligation under article 9, paragraph 1, of the Convention and to submit in due time their periodic reports on measures undertaken to implement the Convention;
4. Appeals urgently to the States parties to fulfil their financial obligations under article 8, paragraph 6, of the Convention so as to enable the Committee to resume its work;
5. Requests the Secretary-General:
 - (a) To consider making an urgent appeal, by telex, to States parties to fulfil their financial obligations in relation to the Committee in order to enable it to resume its work;

(b) To transmit notices of assessment for 1987 to States parties as soon as possible, urging them to pay their contributions;

(c) To explore all appropriate avenues to enable the Committee to meet in 1987, even if for a shorter duration and at a reduced cost;

(d) To consider convoking, if necessary and within available resources, a meeting of States parties during the first regular session of 1987 of the Economic and Social Council, so that they can take stock of the level of assessed contributions and make recommendations on the future work of the Committee;

(e) To report on the situation to the General Assembly at its forty-second session.
